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PATENT  
Attorney Docket No.: 17682A-003650US

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By: 

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re continuation application of US  
10/160,977 to:

Robert O. Dempcy *et al.*

Application No.: Not yet assigned

Filed: Herewith

For: MODIFIED  
OLIGONUCLEOTIDES FOR  
MISMATCH DISCRIMINATION

Examiner: Kenneth R. Horlick (parent)

Art Unit: 1637 (parent)

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/032,307, filed 12/21/01 (Attorney Docket No. 17682A-003630US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

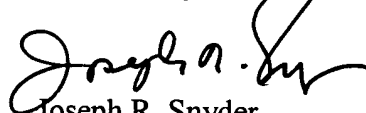
Application No.:  
Page 2

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Joseph R. Snyder  
Reg. No. 39,381

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000  
Fax: 925-472-8895  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 5

**Complete if Known**

Application Number	
Filing Date	
First Named Inventor	Dempcy, Robert O., et. al.
Art Unit	
Examiner Name	
Attorney Docket Number	

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	6,127,121		10/3/00	Meyer, Jr., et al.	
	2	5,177,196		1/5/93	Meyer, Jr., et al.	
	3	5,512,667		4/30/96	Reed, et al.	
	4	09/457,616		12/08/99		
	5	5,419,966		5/30/95	Reed, et al.	
	6	5,801,155		9/1/98	Kutyavin et al.	
	7	5,696,251		12/9/97	Arnold, Jr., et al.	
	8	5,585,481		12/17/96	Arnold, Jr., et al.	
	9	5,942,610		8/24/99	Nelson, et al.	
	10	5,736,626		4/7/98	Mullah, et al.	
	11	3,996,345		12/7/76	Ullman, et al.	
	12	4,351,760		9/28/82	Khanna et al.	
	13	5,645,985		7/8/97	Froehler, et al.	
	14	5,484,908		1/16/96	Froehler, et al.	
	15	5,492,806		2/20/96	Drmanac, et al.	
	16	5,525,464		6/11/96	Drmanac, et al.	
	17	5,556,749		9/17/96	Mitsuhashi, et al.	
	18	5,824,796		10/20/98	Petrie, et al.	
	19	5,210,015		5/11/93	Gelfand, et al.	
	20	5,449,767		9/12/95	Ward, et al.	
	21	6,312,894		11/6/01	Hedgpeth, et al.	
	22	4,358,535		11/9/82	Falkow et al.	
	23	4,868,105		9/19/89	Urdea et al.	
	24	5,124,246		6/23/92	Urdea, et al.	
	25	4,683,202		7/28/87	Mullis	
	26	4,683,195		7/28/87	Mullis, et al.	
	27	4,800,159		1/24/89	Mullis et al.	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	
				Filing Date	
				First Named Inventor	
				Art Unit	
				Examiner Name	
(use as many sheets as necessary)				Dempcy, Robert O., et. al.	
Sheet	2	of	5	Attorney Docket Number	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	28	WO	96/32496					<input type="checkbox"/>
	29	WO	92/10588					<input type="checkbox"/>
	30	WO	96/17957					<input type="checkbox"/>
	31	WO	99/37085					<input type="checkbox"/>

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	32	Chen et al. <i>Nucleic Acids Res.</i> 23:2661-2668 (1995)		
	33	Singh et al., <i>Chem. Comm.</i> , 455-456 (1998)		
	34	Wengel J., <i>Acc. Chem Res.</i> , 32:301-310 (1998)		
	35	Palissa et al., <i>Z. Chem.</i> , 27:216 (1987)		
	36	Nielsen et al. <i>Science</i> 254: 1497-1500 (1991)		
	37	Uhlmann et al. <i>Angew. Chem. Ing. Ed.</i> 37:2796-2823 (1998)		
	38	Wemmer, D.E. et al., <i>Current Opinion in Structural Biology</i> , 7:355-361 (1997)		
	39	Walker, W.L. et al., <i>Biopolymers</i> , 44:323-334 (1997)		
	40	Zimmer, C et al., <i>U. Prog. Biophys. Molec. Bio.</i> 47:31-112 (1986)		

Examiner Signature		Date Considered	
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STATEMENT BY APPLICANT**

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Sheet 3 of 5

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Application Number	
Filing Date	
First Named Inventor	Dempsy, Robert O., et. al.
Art Unit	
Examiner Name	
Attorney Docket Number	

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	41	Reddy, et al., Pharmacol. Therap., 84:1-111 (1999)	
	42	Talon, T.A. et al., Science 289:1757-1760 (2000)	
	43	Balow et al., Nuc. Acid Res., 26:3350-3357 (1998)	
	44	Seela et al., J. Chem. Soc. Perkin Trans., I:479-488 (1999)	
	45	Ramzaeva et al., Helv. Chim. Acta, 80:1809-1822 (1997)	
	46	Vincent et al. J. Org. Chem., 64:991-997 (1999)	
	47	Beaucage et al., Tetrahedron 48:2223-2311 (1992)	
	48	Scheit, Nucleotide Analogs, John Wiley, New York (1980)	
	49	Uhlman et al., Chemical Reviews, 90:543-584 (1990)	
	50	Seela et al., Nucl. Acids Res., 28:3224-3232 (2000)	
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	53	Santalucia et al., Biochem, 36:10581-10595 (1997)	
	54	Schutz et al., Biotechniques, 27:1218-22 (1999)	

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Sheet 4 of 5

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Art Unit	
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	55	Owczarzy et al. <i>Biopolymers</i> , 44:217-239 (1997)	
	56	Geisen et al. <i>Nucl. Acids Res.</i> , 26:5004-5006 (1998)	
	57	Blake et al., <i>Bioinformatics</i> , 15:370-5 (1999)	
	58	Van Ness et al., <i>Nucleic Acids Res.</i> , 19:5143-5151 (1991)	
	59	J. Chromatogr., B. <i>Biomed. Sci. Appl.</i> 739:139-150 (2000)	
	60	Draper et al., <i>Biochemistry</i> 19:1774-1791 (1980)	
	61	Pastinen T. et al., <i>Genome Res.</i> , 10:1031-42 (2000)	
	62	Lyamichev et al., <i>Nature Biotechnol.</i> , 17:292-296 (1999)	
	63	Mueller et al., <i>Histochem, Cell Biol.</i> , 108:431-437 (1997)	
	64	Capaldi et al., <i>Nuc. Acids Res.</i> , 28:E21 (2000)	
	65	Eisen, et al., <i>Methods in Enzymology</i> , 303:179-205 (1999)	
	66	Hacia et al., <i>J. Mol. Genet.</i> , 36:730-736 (1999)	
	67	Smith et al., <i>Int. J. Oncol.</i> , 17:841-850 (2000)	
	68	Zhang et al., <i>Nat. Biotechnol.</i> , 18:862-867 (2000)	

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of

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Dempsy, Robert O., et. al.

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	69	Flanagan et al., <i>Nat. Biotechnol.</i> , 14:1139-1145	
	70	Livak et al., <i>PCT Meth. App.</i> 4:357-362 (1995)	
	71	Heid et al., <i>Genome Res.</i> 6:986-994 (1996)	
	72	Taylor et al., <i>Tetrahedron</i> , 48(37):8089-8100 (1992)	
	73	Lohkov, S.G., <i>FEBS Letters</i> 420:134-138 (1997)	
	74	Hall et al., <i>PNAS</i> 97:8272-77 (2000)	

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